

REMARKS

Entry of this amendment on an "after final" basis is in order because a) the amendment does not raise any new issues that would require further searching or consideration and b) the amendment places the application in condition for allowance, or if necessary, into better condition for appeal. Accordingly, entry of the present amendment is respectfully requested.

The specification has been amended to correct a minor typographical error.

Applicant gratefully acknowledges the allowance of claims 1, 4-7, 11, 13-17, 21-29, 33-36, 40-43 and 46-58.

Claims 8,10, 12, 30, 32,44 and 45 have been rejected under 35 U.S.C. 102(a) as being anticipated by Martin, Jr. et al. Applicant traverses this rejection as it pertains to the present claims.

Independent claims 8, 30 and 44 have been amended to more clearly set forth and define the present invention. Specifically, these independent claims have been amended to recite that the additive component is distributed in the matrix material. This recitation is supported repeatedly throughout the specification. In Example 1, for instance, on page 45, lines 29-31, a dispersant/detergent is described as being "distributed substantially uniformly throughout a polyethylene wax matrix."

In independent claim 8, a fuel additive composition is provided which comprises a matrix material and an additive component. The additive component is distributed in the matrix

material and is effective, when released into a fuel, to provide at least one benefit to the fuel. The matrix component comprises at least one polymeric material and is (1) substantially insoluble in the fuel and (2) effective to reduce the rate of release of the additive component into the fuel relative to an identical composition without the matrix material.

Independent claim 30 is directed to a fuel additive assembly comprising a housing including a fuel inlet and a fuel outlet; and an additive composition disposed within the housing and including a fuel additive component and a matrix material comprising at least one polymeric material. The additive component is distributed in the matrix material and is effective, when released into a fuel, to provide at least one benefit to the fuel. The matrix material is further defined as being (1) substantially insoluble in the fuel in contact with the additive composition and (2) effective to reduce the rate of release of the additive component into the fuel relative to an identical additive composition without the matrix material.

Methods of producing a fuel additive composition are provided in independent claim 44. The methods of claim 44 comprise the steps of combining an additive component with a matrix material to form a mixture in which the additive component is distributed in the matrix material. The additive component is effective to provide at least one benefit to a fuel when released into the fuel. The matrix material comprises at least one polymeric material and is substantially insoluble in the fuel. The methods further comprise forming one or more discrete units of the mixture. The discreet unit or units of the mixture provide a reduced rate of release of the additive component into a fuel relative to an identical unit or units without the matrix material.

Martin, Jr. et al discloses a fuel filter including a fuel additive that is slowly released into the fuel. Martin, Jr. et al discloses, in column 5, line 43 to column 6, line 6, that tablets of fuel additive may include an outer hydrocarbon insoluble coating selected to be substantially insoluble in hydrocarbon fuel mixtures. Martin, Jr. et al discloses that typical and preferred coating materials are commercially available polymers and block copolymers including polyethylene glycol or polyvinyl acetate. Martin, Jr. et al further discloses, in col. 5, line 46 through col. 6, line 6, that in other embodiments the fuel additive may be embedded within a solid matrix which can be either hydrocarbon soluble or hydrocarbon insoluble.

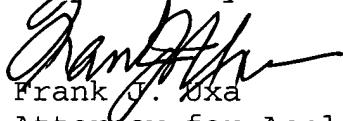
Martin, Jr. et al does not specifically disclose, teach, or suggest an additive composition comprising an additive component distributed in a matrix material which comprises at least one polymeric material, is substantially insoluble in fuel, and is effective to reduce the rate of release of the additive component into fuel, for example as recited in independent claims 8, 30 and 44. To the contrary, in the embodiment disclosed by Martin, Jr. et al which is cited by the Examiner, the additive component is encased by, rather than distributed in, a polymeric material. Thus, in this embodiment of Martin, Jr. et al, the polymeric material is a coating - not a matrix, such as the matrix recited in the present claims. In the other embodiments of Martin, Jr. et al, a solid matrix is mentioned, but the composition of the matrix is not disclosed. Martin, Jr. et al provides no specific disclosure or suggestion that the matrix comprises at least one polymeric material, let alone comprising a polymeric material and being substantially insoluble in fuel, as recited in the present rejected claims.

Accordingly, applicant submits that independent claims 8, 30 and 44 are not anticipated by and are unobvious from and patentable over Martin, Jr. et al under 35 U.S.C. 102(a) and 103(a).

Each of the rejected dependent claims, that is claims 10, 12, 32 and 45, is separately patentable over the prior art. For example, none of the prior art, taken singly or in any combination, disclose, teach or even suggest the present additive compositions, additive assemblies and methods of producing additive compositions including the additional feature or features recited in any of these dependent claims. Therefore, applicant submits that each of the present claims is separately patentable over the prior art.

In conclusion, applicant has shown that the present claims are not anticipated by and are unobvious from and patentable over the prior art under 35 U.S.C. 102 and 103. Therefore, applicant submits that all the present claims are allowed or allowable over the prior art, and respectively requests that the Examiner pass the above-identified application to issuance at an early date. Should any matters remain unresolved, the Examiner is requested to call (collect) applicant's attorney at the telephone number given below.

Respectfully submitted,



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